

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

* * * * *

JOSHUA LEE DARLY MOORE,

Petitioner,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

JESSICA SYMMES,

Respondent.

Civ. No. 11-522 (MJD/LIB)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. Petitioner's application for a writ of habeas corpus, (Docket No. 1), be **DENIED**;
2. This action be **DISMISSED WITH PREJUDICE**; and
3. Petitioner should **NOT** be granted a Certificate of Appealability.
4. Let Judgment Be Entered.

DATED: April 12, 2011
At Minneapolis, Minnesota

s/Michael J. Davis
Michael J. Davis, Chief Judge
United States District Court